IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION Nos : 8762 and 10416 of 1998

WRIT PETITION NO : 8762 of 1998

Between:

1 V.Mary D/o V.Ravindra Babu
R/o 25-4-70, Rahamath Nagar, Kazipet.
2 Maimuna Sultana W/o Ahmed Ilyas
R/o 14-4-135/1, Mandi Bazar,Warangal.
3 G.Jyothirmayi, W/o G.Venkata Narayana Chary,
R/o 10-3-31, Girimajipet, Warangal.

... PETITIONERS

AND

1 The Director of School Education, Directorate of School Education, Andhra

Pradesh, Hyderabad.
2 The District Educational Officer Cum Convener,District Selection

Committee, Warangal.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records relating to the issue of the Memo X.N.Dis.No.D.S.C./98,dt.28-3-98 of the Second Respondent and issue directions more in the nature of a writ of mandamus declaring the action of the Second Respondent in issuing memo X.N.Dis.No.D.S.C./98,dt.28-3-98 as arbitrary and illegal and further direct the Respondents not to insist that the petitioners should have studied till S.S.C. With Telugu as the First Language for being eligible to be appointed as Secondary Grade Teachers

Counsel for the Petitioners: MR.R.RAGHUNANDAN

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

WRIT PETITION NO : 10416 of 1998

Between:

Mr. Zahid Ali Khan S/o Late Abid Ali Khan
R/o Siasat Urdu Daily, J.N.Road, Abids, Hyderabad

.... PETITIONER

AND

1 The State of Andhra Pradesh rep. by its Chief Secretary, Secretariat Building , Hyderabad.
2 Secretary to Govt. of A.P., Education Department , Secretariat Buildings, Hyderabad.
3 The Director of School Education, State of A.P., Hyderabad.
4 The District Collector, Nizambad Nizambad District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare the selection process commenced by the 3rd Respondent for recruitment of Teachers through the notification dated 15/03/98 and subsequent actions pursuant to the said notification as illegal, arbitrary, vitiated by non-application of mind and discriminatory towards minority communities especially the Muslims violating their rights under Arts. 14,16 and 29 of the Constitution of India and consequently set aside the same as illegal and further direct the Govt. to issue a fresh notification encompassing the existing vacancies of Teachers in Urdu Medium schools all over the State by issuing a writ of Mandamus or any other appropriate writ

Counsel for the Petitioner: MR.S.SHARAT KUMAR

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following order:

COMMON ORDER:

The applications of the petitioners for the post of Secondary Grade Teacher to be recruited in the year 1998 was rejected on the ground that the petitioners did not possess Telugu as their first language at the high school level i.e., S.S.C as required by the respondents.

Learned counsel appearing for the respective parties submits that as the recruitment is of the year 1998 no cause survives in these writ petitions to be adjudicated. Hence, these writ petitions have become infructuous.

Recording the above submission made by the counsel appearing for the respective parties

these writ petitions are dismissed as infructuous. No costs.

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V. ESWARAIAH, J

November 5, 2004

Dsk

To

1 The Chief Secretary to Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad.

2 The Secretary to Govt. of A.P., Education Department
Secretariat Buildings, Hyderabad.

3 The Director of School Education, Directorate of School Education, Andhra

Pradesh, Hyderabad.

4 The District Educational Officer Cum Convener,District Selection

Committee, Warangal.

5 The District Collector, Nizambad, Nizambad District.

6 Two CCs to GP For School Education, High Court Buildings, Hyderabad

(OUT)

7 Two CCs to GP For Education, High Court Buildings, Hyderabad (OUT)

8 Two CD Copies.